

DAVID CHIU, State Bar #189542
City Attorney
YVONNE R. MERÉ, State Bar #173594
Chief Deputy City Attorney
TARA M. STEELEY, State Bar #231775
JOHN H. GEORGE, State Bar #292332
KAITLYN M. MURPHY, State Bar #293309
ABIGAIL H. WALD, State Bar #309110
Deputy City Attorneys
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682
Telephone: (415) 554-4655 (Steeley)
 (415) 554-4223 (George)
 (415) 554-6762 (Murphy)
 (415) 554-3901 (Wald)
Facsimile: (415) 554-4699
E-Mail: tara.steeley@sfcityatty.org
 john.george@sfcityatty.org
 kaitlyn.murphy@sfcityatty.org
 abigail.wald@sfcityatty.org

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANE ROE, an individual; MARY ROE, an individual; SUSAN ROE, an individual; JOHN ROE, an individual; BARBARA ROE, an individual; PHOENIX HOTEL SF, LLC, a California limited liability company; FUNKY FUN, LLC, a California limited liability company; and 2930 EL CAMINO, LLC, a California limited liability company,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity.

Defendant.

Case No. 4:24-cv-01562-JST

**DECLARATION OF JONATHAN VAING IN
SUPPORT OF DEFENDANT CITY AND
COUNTY OF SAN FRANCISCO'S
OPPOSITION TO PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Hearing Date: October 27, 2025
Time: 8:30 a.m.
Place: Courtroom 6, 2nd Floor
1301 Clay Street
Oakland, CA 94612

Trial Date: August 10, 2026

Attachments: Exhibits A-B

1 I, JONATHAN VAING, declare:

2 1. I have personal knowledge of the matters stated herein, and if called and sworn as a
 3 witness could and would competently testify thereto.

4 2. I have been employed by the City and County of San Francisco since 1996. I work
 5 within the Department of Public Works (“DPW”) as part of the Bureau of Street and Environmental
 6 Services (“BSES”), which is one of four bureaus in DPW underneath the Operations Division. My title
 7 is the Assistant Superintendent of BSES Operations.

8 3. BSES is the DPW Bureau primarily concerned with cleaning streets, curbs, and other
 9 right-of-ways in the City. We do this by using mechanical street sweepers, removing graffiti,
 10 managing litter receptacles, and utilizing manual cleaning crews. Our manual cleaning crews sweep
 11 and clean sidewalks in heavily used commercial corridors. DPW employees who work with Healthy
 12 Streets Operation Center (“HSOC”) operations and Joint Field Operations (“JFO”) are all part of
 13 BSES.

14 **Structure of BSES**

15 4. BSES has approximately 400 employees. Of those approximately 400 employees,
 16 around a quarter have roles that involve interacting with homeless individuals with respect to cleaning.
 17 There are approximately 250 employees working on City streets each day Monday through Friday.
 18 The individuals work on the Zone, Hot Spot and Special Projects teams as described below.

19 5. BSES is divided into eight teams each headed by one or two employees with the title
 20 Supervisor II. Those teams are: (1) Block Sweeping Group; (2) Alley Crew; (3) Mechanical Sweeping;
 21 (4) Zone; (5) Outreach and Enforcement; (6) HOT Spot Team; (7) Graffiti Unit; and (8) Special
 22 Projects.

23 6. A new team was created and implemented in March 2025 called the Neighborhood
 24 Streets Team (NST).

25 7. The NST Team is comprised of DPW employees and SFPD officers to review and
 26 assess daily complaint reports from 311 and respond on a daily basis to complaints regarding trash,
 27 debris, tents, encampments and other blockages of the sidewalks in the City. The NST team is

1 managed by Brittany Brandon from DPW. From DPW, Ms. Brandon is assigned a dedicated group of
 2 18 to 20 employees that are divided into three (3) different neighborhoods or sections.

3 8. Below I provide more information about the number of employees assigned to, and the
 4 job responsibilities of, each of the eight BSES teams.

5 9. **Block Sweeping** has approximately 122 DPW employees, with an additional
 6 approximately 60 employees who are paid for out of the San Francisco Human Services Agency's
 7 budget. The Block Sweeping team's responsibilities require sweeping around designated sidewalks
 8 carrying a garbage bag, trash picker, and broom. Employees on the Block Sweeping team do not ask
 9 anyone to move for purposes of cleaning and their work does not involve engaging with members of
 10 the public.

11 10. **Mechanical Sweeping** has approximately 38 employees. Employees on the Mechanical
 12 Sweeping team do their work from specialized vehicles that sweep and clean City streets. These are
 13 the vehicles that perform the type street cleaning for which street parking is prohibited at certain dates
 14 and times as shown in the video here: <https://sfpublicworks.org/services/mechanical-street-sweeping-and-street-cleaning-schedule>. The Mechanical Sweeping team does not ask anyone to move for
 15 purposes of cleaning and their work does not involve engaging with members of the public.

16 11. **Zone** has approximately 84 employees. Zone is the complaint-driven part of BSES,
 17 responding to complaints raised through 311 or other channels. Zone laborers are assigned to one of
 18 six geographic "zones" in the City, designated as A-F. The Tenderloin, where Joint Field Operations
 19 ("JFO") occurs is part of Zone B and the Zone B team supports the JFO operation's needs from DPW.
 20 Zone laborers are dispatched to respond to complaints about the streets and sidewalks within their
 21 zone based on a number of factors including the severity or safety risk that the complaint presents.
 22 Both City employees and members of the public can call in complaints. Zone work does involve
 23 interactions with homeless individuals with respect to cleaning and laborers on the Zone team are
 24 trained on the City's bag and tag policy.

25 12. **Outreach and Enforcement** has approximately 6 employees. Laborers on the
 26 Outreach and Enforcement team do not have responsibilities that involve cleaning the sidewalk
 27 directly and instead work with local businesses to educate and as necessary issue citations to business

1 owners who do not have sufficient garbage services or who leave their trash and/or recycling out on
 2 the street in violation of the Public Works Code. Laborers on the Outreach and Enforcement do not
 3 ask anyone to move for purposes of their cleaning and their work does not involve any engagement
 4 with members of the public who are not property owners.

5 13. **Hot Spot Team** has approximately 6 employees. Laborers on the Hot Spot Team are
 6 responsible for providing DPW support to HSOC resolutions. Their work involves interactions with
 7 homeless individuals with respect to cleaning and the Hot Spot Team is trained on the City's bag and
 8 tag policy.

9 14. **Graffiti Unit** has approximately 23 employees. Laborers in the Graffiti Unit respond to
 10 complaints, performs proactive abatements, and/or reports of graffiti in the City.

11 15. **Special Projects** has approximately 10 of employees. Laborers on the Special Projects
 12 team manage property that other BSES teams have bagged and tagged and staff the property storage
 13 area at the DPW Yard. The Special Projects team also manages DPW's work with parades and other
 14 celebrations or special events in the City, such as Bay to Breakers and the Pride Parade.

15 16. **Neighborhood Street Team ("NST")** has 18 to 20 employees from DPW. NST also
 16 works closely with DEM, which coordinates various city agencies such as the Department of Public
 17 Health, San Francisco Fire Department, San Francisco Police Department ("SFPD"), HSOC and HOT.
 18 SFPD also assigns officers in addition to DPW employees. The NST operates daily. The NST team
 19 evaluates complaints made to 311, triages the complaints, and responds to the location of the
 20 complaints and will clean areas but also engage with persons and their belongings on public property
 21 to request and enforce their movement, and bag and tag their property if necessary. While the NST
 22 operates similarly to the Zone team, it focuses more specifically on encampment cleanups and
 23 coordinated with the listed City agencies.

24 17. The numbers described above in Paragraphs 9-16 include only current active laborers.
 25 They do not include currently employed staff who may be on approved leave, such as FMLA,
 26 worker's compensation, or parental leave, etc.

1 **Bag and Tag Policy**

2 18. DPW has implemented an official bag and tag policy as set forth in the Public Works
 3 Procedures Manual is attached hereto as **Exhibit A**. The bag and tag policy is used by DPW
 4 employees when encountering unhoused persons whose personal property must be removed and
 5 stored. There is a less formal and more reader-friendly recitation of the policy available on DPW's
 6 website at: <https://sfpublicworks.org/services/bag-and-tag-process>.

7 **BSES Operations in the Tenderloin and City**

8 20. To monitor, assign and track work and employees, DPW BSES has divided the City
 9 into six (6) zones, A through F. The zones are not divided in coordination with SFPD or Supervisor
 10 districts. The Tenderloin neighborhood is in Zone B. Zone B is assigned three DPW supervisors and
 11 15 laborers. Zone B has the highest number of BSES employees assigned to it. BSES operates 24
 12 hours per day, 7 days per week with swing shift supervisors, a night crew, the ability to respond 24/7
 13 to 311 complaints or emergencies (emergencies such as a sinkhole, broken glass, fire debris, etc.).
 14 BSES personnel work closely with the SFPD and SFFD to respond to emergencies. BSES has a radio
 15 room that is also staffed 24/7 to communicate needs and emergencies with BSES personnel. The
 16 Tenderloin two (2) tool boxes in the neighborhood that stores tools available for BSES personnel to
 17 use as needed. The tool box contains shovels, bags, and other items necessary for street and sidewalk
 18 cleaning.

19 21. BSES' goal is to respond to a 311 complaint within 48 to 72 hours. The current success rate
 20 is in the 70% range. Unplanned or unpermitted events such as protests do delay response times
 21 because employees are called from regular duty to clean or abate conditions that are unknown or
 22 unplanned for by BSES.

23 22. Attached hereto as **Exhibit B** is a statistical report of DPW's maintenance and street
 24 cleaning efforts. As can be seen from Exhibit B, DPW has collected 15,314 tons of debris with its
 25 sweepers in the fiscal year 2025. The same exhibit confirms the 75% response rate to 311 complaints
 26 during the fiscal year 2025 and includes complaints regarding encampments and street cleaning
 27 requests. Also seen is that BSES responds to an average of 7,236 311 service requests per month in the
 28

1 day shift alone. Notably, Zone B has a similar response rate and time of response, to the rest of the
2 City, while it yields a higher than average number of complaints.

3

4 I declare under penalty of perjury under the laws of the United States and the State of
5 California that the foregoing is true and correct.

6 Executed on September 16, 2025, at San Francisco, California.

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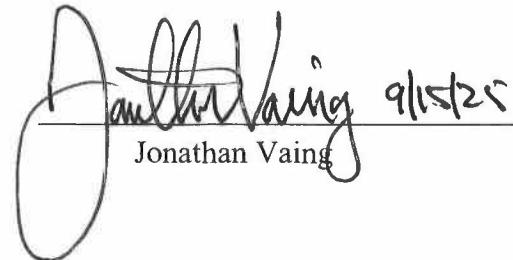
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Handwritten signature of Jonathan Vainig in black ink, followed by the date "9/15/25" in a smaller, handwritten font.

Jonathan Vainig